

United States District Court  
For the Northern District of Illinois  
Western Division

Shawn A. Tompkins, Plaintiff

vs

Julie, Whiteside Co Jail,

John Doe Dr, Kelly Wilhelm,

Tim Errickson

Defendants

Case # 15-CV-50206

Honorable Frederick J. Kapala

**FILED**

FEB 02 2017

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

PLAINTIFF'S AFFIDAVIT IN OPPOSITION  
TO DEFENDANTS MOTION FOR SUMMARY JUDGMENT

1. I agree with Paragraph number 1 with the exception that I Shawn A. Tompkins am not from Sterling IL, nor have I ever resided in Sterling IL. I am also not positive the number of times I have been in the Whiteside County Jail, It may be 16 times.

2. I will agree with Paragraph number 2, although I Shawn A. Tompkins am not positive of Sheriff, Wilhelm's duties.

3. I agree Julie A. Warkins is or was a Nurse at the Whiteside County Jail while I was detained. I do not know if Julie A. Warkins works or doesn't work for Advanced Correctional Healthcare.

4. I Shawn A. Tompkins agree with this fact.

5. I Shawn A. Tompkins agree with this fact, Whiteside County Jail is located in Morrison Illinois.

6. It is further agreed that Lieutenant Tim Erickson serves as the Jail Administrator for the Whiteside County Jail.

7. Agreed, as stated previously, Tim Erickson works at the Whiteside County Jail. Therefore was working there during my incarceration.

8. I will agree with this paragraph although, I Shawn A. Tompkins am not positive the number of times that I have been booked into the Whiteside County Jail.

9. I Shawn A. Tompkins disagree with Paragraph 9. The Inmate handbook does not set forth the grievance procedure for the jail, there is nothing in the Whiteside County Jail handbook that mentions a (Grievance Procedure). Defendant Erickson claims that grievance procedures are outlined in Inmates Handbook are erroneous, referring to Exhibit A Submitted by Lt Erickson fails to outline grievance procedures (See exhibit ~~10~~A)

10. I furthermore disagree with Paragraph #10. Defendants Ericksons Contention that every Inmate receives an inmate handbook is wrong. A Notice of Failure to follow grievance notification is addressed by Inmate Corey Olades Affidavit See Exhibit B Page 1 and page 2 See Exhibit D Page 1 Declaration of Shawn A. Tompkins

11. I fully agree with paragraph #11. Since I now have a copy of the Whiteside County Jail Inmate Handbook.

12. I fully agree with paragraph #12 although the hand book states this, does not mean that the Jail Staff Comply or that they always have request forms on hand. Many times Inmates are told to give a verbal Complaint.

13. I Shawn A. Tompkins agree that Inmate requests may be written "at any time" that does not mean they will be acknowledged. However I do not agree that the request forms could easily be obtained from A Correctional Officer they were often "out" of them and recommended a 'Verbal Complaint'.

14. I disagree with paragraph #14, Medication times outlined in the handbook are 6am, 10am, 10pm, except on weekends (Friday and Saturday nights) its 1am. The Statement of undisputed material facts does not match what is stated in the handbook of the Whiteside County Jail. See Exhibit A Page 8. (Daily Routine)

15. Once again I agree the Inmate Handbook does state if Inmates (have any Complaints) to put them in writing and send them to the Lieutenant, That does not mean they will be attended to, also, a Complaint and a Grievance are two different things.

16. I agree with paragraph # 16. Inmates in any institution or Jail Can Requests or Complain about any issues they may have, that dont mean they will get a response.

17. I disagree with paragraph # 17 I did submit writin requests for help to Lieutenant Tim Erickson in the form of a Complaint. I also made many verbal complaints to Nurse Julie and the Staff of the WhiteSide County Jail. I also had my mother April Robnett Call Several times to speak with Tim Erickson about my health. Lieutenant Tim Erickson would not return my Mothers Calls and was never available for calls. See EXHIBIT (page) (Affidavit of April Robnett)

These factual disputes Cannot be resolved without a trial, Wherefore defendants Motion for Summary Judgement Should be denied

*Shawn Tompkins*

*Susan L. Key 1-27-17*



Respectfully Submitted,

Shawn A. Tompkins

R45728

Taylorville C.C.

Po Box 1000

Taylorville, IL 62568

**WHITESIDE COUNTY JAIL  
400 NORTH CHERRY ST  
MORRISON, ILLINOIS 61270**

**JAIL RULES AND REGULATIONS  
SEPTEMBER 2<sup>ND</sup>, 2009**

THE PURPOSE OF THIS HANDBOOK IS TO PROVIDE INFORMATION CONCERNING RULES AND REGULATIONS PERTAINING TO INMATES INCARCERATED IN THE WHITESIDE COUNTY JAIL. THESE RULES AND REGULATIONS ARE PRIMARILY DIRECTED TO THE INMATE POPULATION AND ARE BY NO MEANS ALL-INCLUSIVE AND THE FACT THAT A RULE OR REGULATION MAY NOT BE INCLUDED HEREIN IS NOT TO BE UNDERSTOOD THAT A RULE OR REGULATION DOES NOT EXIST AND/OR IS NOT PUBLISHED ELSE WHERE.

THE RULES AND REGULATIONS CONTAINED HEREIN ARE APPLICABLE TO ALL INMATES INCARCERATED IN THE WHITESIDE COUNTY JAIL REGARDLESS OF CLASSIFICATION STATUS OR CATEGORY. VIOLATIONS OF THESE RULES AND REGULATIONS BY ANY INMATE MAY RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING LOSS OF GOOD TIME AND/OR ADDITIONAL CRIMINAL CHARGES FILED.

ANY QUESTIONS CONCERNING THE CONTENTS HEREIN SHOULD BE DIRECTED IN WRITING TO THE LIEUTENANT / JAIL ADMINISTRATOR OF THE WHITESIDE COUNTY JAIL AND/OR SHERIFF OF WHITESIDE COUNTY.

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LIEUTENANT TIM ERICKSON  
JAIL ADMINISTRATOR  
WHITESIDE COUNTY JAIL

**INMATE HANDBOOK**

INMATES ARE PROVIDED A COPY OF THE INMATE HANDBOOK FOR WHITESIDE COUNTY JAIL DURING THE DRESS-IN (BOOKING) PROCESS. THE INMATES RETURNS THE HANDBOOK TO THE FLOOR OFFICER WHEN RELEASED FROM JAIL. IF THE INMATE DOES NOT RETURN THE HANDBOOK OR THE HANDBOOK IS DESTROYED; THE INMATE IS CHARGED ONE DOLLAR.

**1. INMATE REQUEST**

TO ENSURE AN EFFECTIVE WAY OF COMMUNICATING WITH THE STAFF AND ADMINISTRATION, YOU MAY WRITE AN INMATE REQUEST AT ANY TIME. THE INMATE REQUEST FORM CAN BE OBTAINED FROM ANY CORRECTIONAL OFFICER DURING MEDICATION TIMES. THE COMPLETED REQUEST FORM SHOULD BE HANDED TO THE C.O. INMATES REQUEST MAY OR MAY NOT BE GRANTED, DEPENDING ON THE REQUEST.

INMATES WHO WISH TO RELEASE PERSONAL PROPERTY MUST SIGN A RELEASE FORM. PERSONAL PROPERTY WILL BE KEPT FOR ONLY 30 DAYS FOLLOWING AN INMATES RELEASE FROM THIS FACILITY.

**2. CONTRABAND**

PROHIBITED ITEMS - ANY ITEM NOT LISTED ON THE INMATE COMMISSARY ORDER FORM OR ITEMS NOT ISSUED BY THE FACILITY OR ITEMS USED INAPPROPRIATELY ARE CONSIDERED CONTRABAND, EXCEPT NEWSPAPERS AND MAGAZINES THAT ARE MAILED DIRECTLY TO THE INMATE FROM THE PUBLISHERS.

PERMITTED ITEMS - ALL ITEMS LISTED ON THE CURRENT INMATE COMMISSARY ORDER FORM AND ITEMS ISSUED BY THE FACILITY, OR APPROVED BY JAIL ADMINISTRATION. IN ORDER TO

DETECT CONTRABAND AND DAMAGE TO OR TAMPERING WITH THE PHYSICAL INTEGRITY OF THE JAIL, COMPREHENSIVE, PERIODIC SHAKEDOWNS OF THE JAIL ARE PERFORMED.

#### **DISCOVERY PAPERS**

LEGAL PAPERS/DISCOVERY PAPERS/RESEARCH LEGAL PAPERS WILL NOT BE GIVEN OUT IN LARGE AMOUNTS TO INMATES. IF A LARGE AMOUNT COMES IN, THEY WILL BE PLACED IN THE INMATES LOCKER AND MAY BE TRADED OUT AS NEEDED. ONLY A REASONABLE AMOUNT WILL BE KEPT IN THE CELL. DISCOVERY PAPERS WILL NOT BE HANDED OUT OR MAILED TO FRIENDS OR FAMILIES, ONLY ATTORNEYS. ***CORRECTIONAL OFFICERS WILL NOT MAKE COPIES OF ANY LEGAL PAPERWORK.*** IF YOU NEED COPIES, CONTACT YOUR ATTORNEY.

#### **3. INMATE MOVEMENT**

INMATE MOVEMENT THROUGHOUT THE JAIL IS CONTROLLED AND SUPERVISED BY STAFF AND CAMERAS.

ANYTIME THAT AN INMATE EXITS THEIR CELL TO ENTER THE DAYROOM AREA OF THEIR CELL THEY MUST BE FULLY DRESSED. UPON LEAVING YOUR CELL TO EXIT THE BLOCK FOR ANY DESTINATION, YOU MUST BE FULLY DRESSED IN THE CLOTHING ISSUED TO YOU BY THE WHITESIDE COUNTY JAIL. CLOTHING MUST BE WORN PROPERLY. CLOTHING ALTERED BY INMATES, JAIL ISSUED OR PRIVATE PROPERTY, MAY BE CONFISCATED BY OFFICERS AND DISCIPLINARY ACTION MAY BE TAKEN OR REIMBURSEMENT PAID FOR DAMAGE TO CLOTHING OR JAIL PROPERTY.

WHEN INMATES ARE BEING MOVED IN THE HALLWAY FOR ANY REASON, THEY ARE TO WALK SINGLE FILE AND NOT MORE THAN AN ARMS LENGTH FROM THE OUTSIDE WALL. WHEN THE LINE PROCESSION IS HALTED BY THE CORRECTIONAL OFFICER FOR ANY REASON, THE INMATES WILL STEP TO AND PUT THEIR BACK TO THE OUTSIDE WALL UNTIL THE OFFICER TELLS THEM TO PROCEED TOWARDS THEIR DESTINATION. INMATES ARE TO REMAIN QUIET DURING THESE MOVEMENTS. ANY VIOLATION OF THIS RULE CAN LEAD TO LOSS OF THE PRIVILEGE FOR WHICH THE MOVEMENT IS FOR. FOR EXAMPLE: VISITATION, AA MEETING, CLERICAL VISITS, ETC.

#### **4. FIRE EMERGENCY PROCEDURES**

DURING THE TIME OF AN EMERGENCY, INMATES ARE TO FOLLOW THE INSTRUCTIONS GIVEN BY THE CORRECTIONAL OFFICERS, CENTRAL CONTROL OFFICER OR OTHER STAFF MEMBERS. RESPONSIBLE OFFICERS AND STAFF ARE TRAINED TO SUPERVISE THE EVACUATION OF THE JAIL SHOULD THE NEED ARISE. FAILURE TO FOLLOW EVACUATION PROCEDURES AND ORDERS AS GIVEN BY STAFF CAN RESULT IN DISCIPLINARY ACTION AND/OR CRIMINAL PROSECUTION. EXIT SIGNS ARE POSTED IN THE JAIL. REMEMBER, IF A FIRE IS STARTED BY A CARELESS OR IRRESPONSIBLE PERSON, YOUR LIFE AS WELL AS OTHERS, MAY BE ENDANGERED.

#### **5. MEAL DELIVERY**

INMATES RECEIVE THREE (3) MEALS PER DAY. EACH INMATE RECEIVES HIS/HER OWN FOOD TRAY. EACH INMATE IS RESPONSIBLE FOR CLEANING AND RETURNING HIS/HER FOOD TRAY, CUP, AND SPOON TO THE STAFF MEMBER. AN INMATE WHO ABUSES OR MISUSES THESE ITEMS MAY BE SUBJECT TO DISCIPLINARY ACTION.

#### **6. TELEPHONE**

INMATE TELEPHONES ARE LOCATED IN EACH CELLBLOCK. CALLS ARE COLLECT ONLY. THERE IS A TIME LIMIT OF 15 MINUTES FOR EACH CALL. THE JAIL ALSO SELLS PREPAID TELEPHONE CARDS ON MONDAY AND THURSDAY NIGHTS. THE COST IS \$10.00 PER CARD FOR 20 MINUTES OF USE. THE TELEPHONE CALLS ARE MONITORED AND RECORDED. INMATE TELEPHONE ARE TURNED ON AT 0800 HOURS AND ARE TURNED OFF AT 2200 HOURS. YOU ARE ABLE TO CALL THE JAIL CONTROL ROOM (772-5203), THE PUBLIC DEFENDER (772-5191), AND WHITESIDE COUNTY COURT SERVICES (772-5190), FREE OF CHARGE.

#### **7. TELEVISION**

TELEVISIONS ARE PROVIDED IN THE FACILITY FOR YOUR CONVENIENCE AND ENTERTAINMENT. DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU FOR TAMPERING WITH OR ABUSING THE TELEVISION. THE TELEVISION MAY BE REMOVED OR TURNED OFF FOR DISCIPLINARY REASONS.

#### **8. INMATE CORRESPONDENCE**

INMATES HAVE ACCESS TO THE U.S. POSTAL SERVICE. THE FOLLOWING RULES PERTAIN TO THE MAIL SERVICE: ALL INCOMING MAIL IS CHECKED BY THE C.O. AT TIME OF DELIVERY FOR CASH, MONEY ORDERS, AND CONTRABAND. OTHER INMATES, VISITORS, ATTORNEYS, MINISTERS OR OTHER PERSONS MAY NOT ACT AS CARRIERS FOR MAIL. MAIL (INCOMING OR OUTGOING) TO OR FROM INMATES IN THIS FACILITY OR OTHER CORRECTIONAL FACILITIES OR JAILS, MUST BE APPROVED BY THE JAIL ADMINISTRATION.

INMATES HAVE THE RIGHT TO CORRESPOND WITH COUNSEL, OR COURTS WITHOUT HAVING CORRESPONDENCE READ. INCOMING LEGAL CORRESPONDENCE CAN BE OPENED IN THE PRESENCE OF THE INMATE AND INSPECTED FOR MONEY OR CONTRABAND. OUTGOING CORRESPONDENCE IS SUBJECT TO BEING INSPECTED AND MUST BE SUBMITTED TO THE FLOOR OFFICER NOT SEALED.

OUTGOING AND INCOMING MAIL MUST HAVE YOUR FULL NAME, (NAME USED DURING BOOKING) AND THE RETURN ADDRESS, WHITESIDE COUNTY JAIL, 400 NORTH CHERRY ST, MORRISON, ILLINOIS 61270.

INMATES ARE ALLOWED TO RECEIVE NEWSPAPERS, SOFT BACK BOOKS, AND/OR MAGAZINES DIRECTLY FROM THE PUBLISHER. PORNOGRAPHIC MAGAZINES OR MATERIAL DESIGNED TO PROMOTE HATE GROUPS OR OVER-TROW THE GOVERNMENT WILL NOT BE ALLOWED.

#### **9. CELL INSPECTIONS**

IN ADDITION TO DAILY HEAD COUNTS , HYGIENE AND SAFETY INSPECTION, THE STAFF MAY CONDUCT AN UNSCHEDULED INSPECTION OF YOUR CELL AND HOUSING UNIT. CONTRABAND FOUND IS CONFISCATED. YOU ARE REQUIRED TO COOPERATE WITH THE STAFF CONDUCTING THE INSPECTION AND YOU DO NOT HAVE THE RIGHT TO BE PRESENT DURING THE INSPECTION.

YOU MAY BE SUBJECT TO A PAT SEARCH AND/OR UNCLOTHED SEARCH UPON ENTERING OR DEPARTING VARIOUS AREAS OF THE FACILITY.

#### **10. PERMITTED/INITIAL COUNTY ISSUED ITEMS**

ISSUED CLOTHING: ONE UNIFORM SET OF COVERALLS, ONE PAIR SANDALS. ISSUED BEDDING AND LINEN: ONE MATTRESS, ONE BLANKET, ONE SHEET, ONE TOWEL, ONE WASH CLOTH. ISSUED HYGIENE ITEMS: ONE TOOTHBRUSH, ONE TUBE OF TOOTHPASTE, ONE BAR OF SOAP, & ONE COMB. YOU WILL BE REQUIRED AT THE TIME OF BOOKING TO ACCOUNT FOR AND SIGN A FORM THAT YOU HAVE RECEIVED THESE ITEMS. ADDITIONAL ITEMS WILL HAVE TO BE PURCHASED BY THE INMATE AT COMMISSARY.

PERSONAL CLOTHING: INMATES WILL BE ABLE TO KEEP THE SOCKS THAT THEY HAVE AT TIME OF BOOKING. FEMALE INMATES WILL BE ALLOWED TO ALSO HAVE THEIR UNDERWEAR AND BRA. THESE ITEMS WILL BE WASHED AT TIME OF BOOKING AND RETURNED TO THE INMATE. **UNDERWIRE BRAS, SPORTS BRAS, AND THONG UNDERWEAR WILL NOT BE ALLOWED.** THE NUMBER OF THESE ITEMS TO BE KEPT BY EACH INMATE WILL BE AS FOLLOWS: 5 PAIR OF SOCKS FOR BOTH MALE AND FEMALE INMATES, 5 PAIR OF UNDERWEAR AND 2 BRAS FOR FEMALE INMATES.

INMATES ARE LIABLE FOR COUNTY ISSUED CLOTHING, LINEN AND ITEMS PROVIDED BY THE JAIL. IF ITEMS ARE DAMAGED OR DESTROYED DUE TO NEGLECT, THE INMATE IS CHARGED AS

FOLLOWS; JUMPSUIT \$15.00 (DEPENDING ON SIZE), PVC SANDALS \$2.00, TOWEL \$3.00, SHEET \$4.00, MATTRESS \$90.00, BLANKET \$15.00, INMATE HAND BOOK \$1.00.

ISSUED AND PERMITTED ITEMS ARE KEPT IN MODERATE QUANTITIES. PERMITTED ITEMS; PRESCRIPTION EYE GLASSES OR CONTACT LENSES, SOFT BACK BOOKS (NOT TO EXCEED 6), NEWSPAPERS OR MAGAZINES (NOT TO EXCEED 4). WHEN YOU REACH YOUR LIMIT ON THESE ITEMS YOU MUST REMOVE THEM FROM YOUR CELL. WHEN ITEMS ARE FOUND IN EXCESS OF THESE REQUIREMENTS, THEY CAN BE CONFISCATED BY STAFF AND DISCIPLINARY ACTION MAY BE ADMINISTERED.

#### 11. LAUNDRY

JAIL ISSUED ITEMS WILL BE WASHED AND THE LAUNDRY SCHEDULE WILL BE POSTED IN THE CELLBLOCKS. YOU MUST TURN IN ALL APPROPRIATE ITEMS TO BE WASHED AS THE SCHEDULE INDICATES.

#### 12. CELL ASSIGNMENTS INSTITUTIONAL LIVING

THE ASSIGNMENT OF AN INMATE TO A PARTICULAR CELL OR ANY CHANGE IN CELL ASSIGNMENT IS THE RESPONSIBILITY OF THE SHIFT SUPERVISOR. IF YOU HAVE A PROBLEM IN A CELL BLOCK, LET THE SUPERVISOR KNOW AND HE/SHE MAY MOVE YOU. UNAUTHORIZED CHANGE OF CELL OR BED LOCATION MAY RESULT IN DISCIPLINARY ACTION.

INMATES SHARE IN THE CLEANING OF THE DAYROOM ( THE INMATE THAT CLEANS THE CELL BLOCK WILL BE ABLE TO KEEP HIS/HER CELL OPEN FOR THE DAY. A DIFFERENT INMATE WILL CLEAN THE CELL AREA EACH DAY.) CELLS AND CELLBLOCK INSPECTIONS ARE SCHEDULED ACCORDING TO POLICY.

#### 13. INMATE PERSONAL HYGIENE

INMATES ARE ALLOWED TO SHOWER AT ANY TIME, EXCEPT DURING LOCKDOWN TIMES. INMATES ARE REQUESTED TO SHOWER EVERY DAY, BUT MUST SHOWER TWICE A WEEK WHILE CONFINED TO THIS FACILITY. DISCIPLINARY ACTION MAY BE TAKEN IF YOU FAIL TO MAINTAIN GOOD HYGIENE.

#### 14. HEALTH CARE

UPON ENTRY INTO THE WHITESIDE COUNTY JAIL, YOU WILL RECEIVE A SCREENING/EVALUATION BY A CORRECTIONAL OFFICER. ANYTHING THAT REQUIRES FURTHER ATTENTION WILL BE DIRECTED TO THE NURSE. ANSWERING TRUTHFULLY AND CORRECTLY IS VITAL FOR YOUR HEALTHCARE. MEDICAL CARE IS AVAILABLE 24 HOURS A DAY FOR EMERGENCIES AND ON A REGULAR DAILY BASIS FOR NON EMERGENCIES. *EMERGENCY CARE WILL BE AT THE DISCRETION OF THE JAIL STAFF/MEDICAL STAFF, AND NOT THE INMATES.* YOU MUST TURN IN A REQUEST FORM TO BE SEEN BY THE NURSE. THE NURSE IS HERE ON A REGULAR SCHEDULED BASIS AND WILL SEE ANY INMATE WHO FILLS OUT A REQUEST FORM.

REQUEST FORMS ARE DISTRIBUTED BY THE CORRECTIONAL OFFICERS. THE INMATE COMPLETES THE FORM AND RETURNS IT TO THE CORRECTIONAL OFFICER. IF YOU BECOME ILL, YOU SHOULD NOTIFY A CORRECTIONAL OFFICER IN ORDER TO RECEIVE PROMPT MEDICAL ATTENTION.

INMATES ARE REQUIRED TO PAY FOR MEDICAL SERVICES. ANY VISIT WITH THE JAIL NURSE WILL NOT BE CHARGED. A \$10 FEE WILL BE CHARGED TO INMATES THAT RECEIVE ANY MEDICAL TREATMENT OUTSIDE THE JAIL, INCLUDING A HOSPITAL VISIT, DR VISIT, DENTIST VISIT AND MENTAL HEALTH VISITS. *ANY SELF INFLICTED INJURY THAT REQUIRES MEDICAL TREATMENT WILL BE THE RESPONSIBILITY OF THE INMATE. ANY COSTS INCURRED FROM AN ALTERCATION OR OTHER UNRULY BEHAVIOR WILL BE THE RESPONSIBILITY OF THE INMATES INVOLVED.*

IF YOU ARE GOING TO THE DENTIST, YOU WILL BE CHARGED A \$10 FEE. IF YOU HAVE A TOOTH EXTRACTED, THERE WILL BE NO ADDITIONAL FEE. FOR REPLACEMENT OF FILLINGS, YOU WILL BE REQUIRED TO PAY \$50 FOR THE 1<sup>ST</sup> FILLING AND \$15 FOR EACH ADDITIONAL FILLING. THE INMATE MUST HAVE THE MONEY TO COVER THESE COSTS ON THEIR ACCOUNTS AT THE TIME OF THE VISIT. AUTHORITY FOR THIS PROGRAM ARE 720 ILCS 5/5-7-1, 730ILCS125/17, AND



730ILCS 125/20. THE COST OF THESE SERVICES ARE DEDUCTED FROM YOUR COMMISSARY ACCOUNT. EQUAL CARE WILL BE GIVEN TO INDIGENT PRISONERS. IN THE EVENT THAT INDIGENT PRISONERS RECEIVE CARE, MONEY WILL BE WITHDRAWN AT A LATER TIME AS MONEY BECOMES AVAILABLE.

#### **PROGRAMS AND SERVICES**

##### **15.RELIGIOUS SERVICES**

INMATES HAVE THE OPPORTUNITY TO PARTICIPATE IN PRACTICE OF THEIR RELIGIOUS FAITH, SUBJECT ONLY TO THE LIMITATIONS NECESSARY TO MAINTAIN ORDER AND SECURITY. CLERGY VISITS ARE SCHEDULED ON TUESDAYS AND THURSDAY FROM 9A-11A AND 1P-3P. CLERGY WILL BE ALLOWED TO COME AND VISIT, BUT FOR FURTHER VISITS, MUST COMPLETE AN APPLICATION AND SUBMIT IT TO THE JAIL CHAPLAIN. INMATES MAY DESIRE TO SEE A PARTICULAR COMMUNITY MINISTER, YOU MAY CONTACT THAT MINISTER AND REQUEST THAT HE MAKE ARRANGEMENTS WITH JAIL PERSONNEL TO VISIT WITH YOU. IDENTIFICATION, AFFILIATION/CERTIFICATION WILL BE REQUIRED OF THE MINISTER.

WE ALSO OFFER ALCOHOLICS ANONYMOUS MEETINGS ON MONDAY. YOU MUST FILL OUT A REQUEST AND GIVE IT TO THE CORRECTIONAL OFFICER. ANY PROBLEMS YOU CAUSE DURING THIS TIME WILL RESULT IN A PERMANENT BAN FROM RETURNING TO THESE SERVICES.

##### **16.TRUSTEE POSITION**

ONLY INMATES SENTENCED TO THE WHITESIDE COUNTY JAIL WILL BE CONSIDERED FOR THE POSITION OF TRUSTEE. THE SELECTION OF TRUSTEES IS MADE BY THE LIEUTENANT.

##### **17.LAW LIBRARY**

WE DO HAVE LAW BOOKS FOR RESEARCH THAT MAY BE ACCESSED. YOU MUST NOTIFY A CORRECTIONAL OFFICER THAT YOU WOULD LIKE TO RESEARCH LAW BOOKS. WHEN TIME PERMITS, YOU MAY RETRIEVE BOOKS FROM THE LAW LIBRARY AND RESEARCH THEM IN A VISITING BOOTH. THIS WILL BE DONE AT THE TIMES AND DISCRETION OF THE OFFICERS ON DUTY.

##### **18.VISITATION**

INMATES IN THIS FACILITY ARE GIVEN THE OPPORTUNITY TO VISIT WITH FAMILY AND FRIENDS 2 TIMES PER WEEK, FOR 20 MINUTES EACH VISITATION DAY.

VISITING HOURS FOR INMATE VISITS ARE TUESDAY EVENINGS FOR INMATES WITH THE LAST NAME THAT STARTS WITH THE LETTERS A THRU L, AND WEDNESDAY EVENINGS FOR INMATES WITH THE LAST NAME THAT STARTS WITH THE LETTERS M THRU Z . VISITATION FOR THOSE NIGHTS WILL BEGIN AT 7:00 PM AND END AT 9:00 PM. ALL INMATES CAN HAVE VISITS ON SUNDAYS. VISITATION HOURS FOR SUNDAYS IS: 9:00 AM THRU 11:30 AM AND 1:00 PM THRU 3:30 PM. EACH VISIT WILL LAST APPROXIMATELY 20 MINUTES. VISITORS MUST BE REGISTERED NO LESS THAN 20 MINUTES PRIOR TO THE END OF VISITATION HOURS ON ANY VISITATION TO BE ALLOWED TO VISIT. INMATES SENTENCED TO THE ILLINOIS DEPARTMENT OF CORRECTIONS WILL BE ABLE TO HAVE A 30 MINUTE VISIT BEFORE BEING TRANSFERRED TO THE DEPARTMENT OF CORRECTIONS. INMATES WHO HAVE BEEN SENTENCED TO THE DEPARTMENT OF CORRECTIONS, AND HAVE SHOWN GOOD BEHAVIOR WHILE IN THE WHITESIDE COUNTY JAIL, AND HAVE BEEN INCARCERATED FOR 30 DAYS OR MORE, WILL BE ALLOWED TO HAVE A 30 MINUTE CONTACT VISIT BEFORE BEING TRANSFERRED TO DOC. HOWEVER, A CONTACT VISIT WILL COUNT AS YOUR FINAL DOC VISIT REGARDLESS OF WHEN TAKEN.

EXTENDED REGULAR VISITS CAN ONLY BE APPROVED BY THE SHIFT SUPERVISOR OR LIEUTENANT. ALL VISITORS MUST PRESENT ACCEPTABLE FORMS OF PHOTO IDENTIFICATION. CHILDREN UNDER THE AGE OF 13 WILL NOT BE ALLOWED TO VISIT. IF YOU ARE PERMITTED A

CONTACT VISIT BEFORE BEING TRANSFERRED TO DOC, CHILDREN UNDER 13 WILL BE PERMITTED.

ALL VISITORS MUST BE IN PROPER ATTIRE AND NO REVEALING CLOTHING WILL BE PERMITTED. ALL VISITORS ARE SUBJECT TO SEARCH UPON ENTRY INTO THE JAIL OR SHERIFF'S OFFICE. THE WHITESIDE COUNTY JAIL HAS THE RIGHT TO REFUSE ANY VISITOR. ANY DISTURBANCE BEFORE, DURING , OR AFTER A VISIT BY THE INMATE OR VISITOR WILL BE CAUSE FOR ENDING THE VISIT. DISCIPLINARY ACTION MAY BE TAKEN AGAINST OFFENDING INMATE(S) AND LOSS OF VISITATION PRIVILEGES MAY BE IMPOSED.

#### **19.RECREATION**

EACH OF THE DAY ROOMS ARE EQUIPPED WITH A TELEVISION SET. ANY TAMPERING WITH THE TV WILL RESULT IN LOSS OF THAT PRIVILEGE. "RUNNING" OF THE TV IS PROHIBITED.

YOU ARE ALLOWED TO HAVE GAMES BROUGHT IN FOR YOUR USE. THEY MUST BE NEW AND SEALED IN THE BOX. APPROVED GAMES ARE: CHESS, CHECKERS, YAHTZEE, MONOPOLY, AND UNO.

#### **20.COMMISSARY**

COMMISSARY PURCHASES ARE MADE AVAILABLE TO INMATES ONCE EACH WEEK. INMATES MAY PURCHASE FOOD ITEMS AND HYGIENE ITEMS. OTHER NON-ESSENTIAL ITEMS MAY BE PURCHASED IF THEY ARE OFFERED. A LIST OF COMMISSARY ITEMS OFFERED FOR SALE WILL BE GIVEN TO YOU ON OR BEFORE COMMISSARY DAY. FILL OUT THE COMMISSARY ORDER FORM PROPERLY, LIST YOUR NAME AND CELL BLOCK NUMBER. TO ENSURE THAT YOU RECEIVE ALL ITEMS ORDERED, DO NOT LET YOUR ORDER EXCEED THE AMOUNT OF MONEY YOU HAVE IN YOUR ACCOUNT. THE COMMISSARY OFFICER CAN NOT MAKE ADJUSTMENTS TO YOUR ORDER. INMATE COMMISSARY ORDER FORMS ARE TURNED INTO THE CORRECTIONAL OFFICER PRIOR TO DELIVERY. IF YOU ARE ON A SPECIAL DIET, YOU MAY NOT BE ALLOWED CERTAIN COMMISSARY ITEMS. IF YOU ARE ON DISCIPLINARY OR ADMINISTRATIVE ASSIGNMENT, YOU MAY NOT BE ALLOWED TO PURCHASE ALL ITEMS. IF YOU ARE INDIGENT, YOU WILL BE GIVEN AN INDIGENT PACKAGE. (INDIGENT PACKAGE CONSIST OF PAPER, STAMPED ENVELOPE, WRITING INSTRUMENT , TOOTHBRUSH, AND TOOTHPASTE AND MAY CONSIST OF OTHER INDIGENT ITEMS)

#### **21.HAIR CUT SERVICE**

HAIR CUTS ARE PROVIDED BY A BARBER. A LIST IS GENERATED PER CELL BLOCK AS NEEDED. PRICES OF HAIRCUTS ARE AS FOLLOWS: A REGULAR OR STYLED TYPE HAIRCUT IS \$7.00 AND BEARD TRIM IS \$3.00. A COMPLETE "BUZZ CUT" WILL BE FREE. YOU MUST HAVE THE MONEY PRIOR TO THE HAIRCUT/BEARD TRIM.

#### **22.ELECTRIC MONITORED HOME DETENTION**

ANY INMATE SENTENCED TO THE WHITESIDE COUNTY JAIL MAY BE ELIGIBLE FOR RELEASE ON "HOME MONITOR". ASK A CORRECTIONAL OFFICER FOR AN APPLICATION IF YOU WOULD LIKE TO APPLY.

#### **23. DISCIPLINARY PROCEDURES**

WHENEVER AN INMATE HAS VIOLATED A RULE OF BEHAVIOR, A WRITTEN REPORT OF THE INFRACTION SHALL BE FILED WITH THE JAIL ADMINISTRATOR WITHIN 72 HOURS OF THE OCCURRENCE OF THE INFRACTION OR THE DISCOVERY OF IT. THE REPORT WILL BE FORWARDED TO THE DISCIPLINARY BOARD. THE DISCIPLINARY BOARD WILL CONSIST OF THE SHIFT SUPERVISOR AND CORRECTIONAL OFFICERS FROM THE FIRST SHIFT THAT COMES ON FOLLOWING THE INCIDENT. THIS BOARD WILL DETERMINE THE PROPER DISCIPLINARY ACTION. THE PENALTY FOR MINOR INFRACTIONS OF JAIL RULES WILL RESULT IN A 3 DAY DISCIPLINARY SEGREGATION OR "LOCKBACK". MAJOR INFRACTIONS WILL BE SUBJECT TO 30 DAYS LOCKBACK. THE JAIL ADMINISTRATOR MAY IMPOSE THE DISCIPLINE RECOMMENDED BY THE DISCIPLINARY BOARD, OR MAY REDUCE THE DISCIPLINE RECOMMENDED; HOWEVER; NO

COMMITTED PERSON MAY BE PENALIZED MORE THAN 30 DAYS OF GOOD BEHAVIOR ALLOWANCE FOR ANY ONE INFRACTION.

ALL OR ANY OF THE GOOD BEHAVIOR ALLOWANCE EARNED WHILE YOU ARE AT THIS JAIL MAY BE REVOKED BY THE JAIL ADMINISTRATOR; UNLESS HE INITIATES THE CHARGE, AND IN THAT CASE BY THE DISCIPLINARY BOARD, FOR VIOLATION OF RULES OF BEHAVIOR AT ANY TIME PRIOR TO DISCHARGE FROM THE INSTITUTION, CONSISTENT WITH THE PROVISIONS OF ILCS 730/130.

THE JAIL ADMINISTRATOR; IN APPROPRIATE CASES, MAY RESTORE GOOD BEHAVIOR ALLOWANCE THAT HAS BEEN REVOKED, SUSPENDED OR REDUCED.

#### **24.INMATE DISCIPLINARY CODE**

##### **PURPOSE**

THIS CODE IS DESIGNATED TO ASSURE THAT CONTROL AND DISCIPLINE OF INMATES IS CONSISTENT WITH DUE PROCESS STANDARDS PRESCRIBED BY THE COURTS AND THE ILLINOIS DEPARTMENT OF CORRECTIONS; AND TO PROMOTE THE WELFARE AND SAFETY OF PERSONS WITHIN THE JAIL, BOTH INMATES AND STAFF PERSONNEL.

WHEN AN INMATE IS CHARGED WITH A VIOLATION OF THIS CODE A DETAILED REPORT SHALL BE SUBMITTED BY THE REPORTING OFFICER. A DISCIPLINARY HEARING SHALL BE HELD WITHIN 72 HOURS OF A MINOR VIOLATION AND 48 HOURS OF A MAJOR VIOLATION.

THE FOLLOWING IS A LIST OF MINOR AND MAJOR VIOLATIONS OF JAIL RULES:

##### **MINOR VIOLATIONS:**

POSSESSION OF MONEY OR CURRENCY  
MALINGERING OR FEIGNING ILLNESS OR INJURY  
FAILING TO COMPLY WITH INSTRUCTIONS BY JAIL STAFF  
BEING IN AN UNAUTHORIZED AREA  
FAILURE TO FOLLOW SAFETY, SECURITY, OR SANITATION REGULATIONS  
FAILING TO KEEP ONE'S PERSON OR CELL IN ACCORDANCE WITH REGULATIONS  
UNAUTHORIZED USE OF MAIL OR TELEPHONE  
UNAUTHORIZED CONDUCT WITH A VISITOR  
MAKING SEXUAL THREATS OR ADVANCES WITH ANOTHER INMATE OR OFFICER  
TAKING FOOD, DRINK OR ANY PERSONAL PROPERTY OF ANOTHER INMATE  
LOANING OF PROPERTY FOR PROFIT OR INCREASED GAIN  
BEING DISRESPECTFUL OF ANY JAIL STAFF MEMBER  
LYING OR PROVIDING FALSE INFORMATION TO A JAIL STAFF MEMBER  
USING ABUSIVE OR OBSCENE LANGUAGE  
IMPROPERLY CLOTHED OUTSIDE OF CELL  
TAMPERING WITH OR OBSTRUCTING CELL WINDOWS, CAMERAS, OR LIGHTS  
TAKING MATTS OUT OF CELL  
COVERING BUNK WITH SHEETS, TOWELS, BLANKETS, ETC.  
DEFACING WALLS OR DAMAGING ANY JAIL PROPERTY  
PASTING OR GLUEING ANYTHING ON CELL WALLS  
ANY MINOR VIOLATION OF A NATURE NOT MENTIONED IN THIS SECTION, THAT A REASONABLE PERSON WOULD BELIEVE TO BE AN INFRACTION OF POLICY OR PROCEDURE

##### **MAJOR VIOLATIONS:**

KILLING, CAUSING BODILY HARM, FIGHTING, THREATENING ANOTHER WITH BODILY HARM, OR WITH ANY OFFENCE AGAINST HIS PERSON OR PROPERTY  
EXTORTION OR BLACKMAIL, PROTECTIONS, DEMANDING OR RECEIVING ANYTHING OF VALUE FOR PROTECTION  
ENGAGING IN SEXUAL ACTS WITH OTHERS AND INDECENT EXPOSURE

ESCAPE OR ATTEMPTING ESCAPE  
SETTING FIRES OR DAMAGING OTHER PERSONAL OR JAIL PROPERTY  
THEFT OR STEALING  
POSSESSION OR INDUCTION OF AN EXPLOSIVE, AMMUNITION, GUN, FIREARM OR ANY WEAPON  
POSSESSION OR INDUCTION OF ANY NARCOTICS, DRUG, INTOXICANTS, OR PARAPHERNALIA  
MISUSE OR SHARING OF MEDICATION  
POSSESSION OF PROPERTY OF ANOTHER  
RIOTING OR ENCOURAGING RIOTING OF OTHERS  
ENGAGING IN OR ENCOURAGING GROUP DEMONSTRATIONS  
REFUSING OR ENCOURAGING OTHERS TO REFUSE PROGRAM ASSIGNMENTS  
CONDUCT WHICH INTERFERES WITH OR DISRUPTS SECURITY OR ORDER OF THE FACILITY  
COUNTERFEITING, FORGING, OR UNAUTHORIZED REPRODUCTION OF ANY DOCUMENT  
GAMBLING OR POSSESSION OF GAMBLING PARAPHERNALIA  
PARTICIPATING IN ANY GANG RELATED ACTIVITY  
ANY VIOLATION OF A MAJOR NATURE NOT COVERED IN THIS SECTION

**25.DAILY ROUTINE:**

- 6 AM  
● 0600 HOURS: CELL DOORS UNLOCKED, CLEANING SUPPLIES IN, MEDICATION DISTRIBUTED, RAZORS IN (YOU MUST ASK FOR AND PERSONALLY TAKE CARE OF YOUR RAZOR). ANY MISUSE OF A RAZOR WILL RESULT IN LOSS OF SHAVING PRIVILEGES. CLEANING SUPPLIES WILL BE ROTATED AROUND TO EACH CELL. EVERYONE IN THE CELL BLOCK IS REQUIRED TO TAKE TURNS CLEANING THE CELL AREA.
- 0715 HOURS: BREAKFAST IS SERVED
- 0900 HOURS: COURT BEGINS. WE DO NOT SET THE COURT SCHEDULE. PLEASE DO NOT CALL OR ASK STAFF WHEN YOU WILL BE GOING TO COURT. WHEN THE COURT CALLS, WE WILL TAKE YOU.
- 1000 HOURS: ALL INMATES WILL BE LOCKED OUT INTO THE DAYROOM AREA.(INMATES REQUESTING TO "LOCKBACK" UNTIL 1530 HOURS WILL BE ALLOWED.) RAZORS TAKEN OUT OF CELL BLOCK. MEDICATION PASSED OUT. THE CELL DOOR OF THE INMATE WHO CLEANED WILL BE ALLOWED TO REMAIN OPEN. THIS WILL BE ON A CELL BY CELL ROTATING BASIS.
- 11:30 HOURS: LUNCH SERVED
- 1530 HOURS: MEDICATION PASSED OUT & INMATES WISHING TO COME OUT OF VOLUNTARY LOCK BACK COMPLETED
- 1630 HOURS: SUPPER
- 2200 HOURS: MEDICATION AND LOCKDOWN ( EXCEPT ON FRIDAY AND SATURDAY NIGHTS, IS AT 0100 HOURS)  
10 PM 1 AM

IT IS OUR GOAL TO MAKE SURE THAT YOUR STAY AT THE WHITESIDE COUNTY JAIL IS AS PROBLEM FREE AS POSSIBLE. ALL INMATES HAVE A RESPONSIBILITY TO ABIDE BY THE RULES WHILE IN CUSTODY AT THIS FACILITY. YOU WILL BE AFFORDED THE SAME RESPECT FROM THE STAFF THAT YOU GIVE. IF YOU HAVE ANY COMPLAINTS, PLEASE PUT THEM IN WRITING AND FORWARD THEM TO THE LIEUTENANT.

26.

A FOLLOWING IS A SUMMARY OF **PRIVILEGES** THAT THE WHITESIDE COUNTY JAIL ALLOWS YOU AS INMATES TO RECEIVE:

- \* UNLIMITED USE OF THE TELEPHONE SYSTEM
- \* AVAILABILITY OF PURCHASING PHONE CARDS
- \* CABLE TELEVISION
- \* AVAILABILITY OF CANDY AND OTHER FOOD ITEMS ON COMMISSARY
- \* 2 TWENTY MINUTE VISITS A WEEK

WE AT THE WHITESIDE COUNTY JAIL WANT YOU TO APPRECIATE THE ABOVE LISTED PRIVILEGES. THE FOLLOWING IS A LIST OF WHAT WE ARE REQUIRED TO PROVIDE FOR YOU AS INMATES IN THE ILLINOIS COUNTY JAIL STANDARDS ACT:

- \* (1) FIVE MINUTE PHONE CALL PER WEEK
- \* THE PURCHASE OF PERSONAL HYGIENE ITEMS
- \* (1) 15 MINUTE VISIT PER WEEK, WHICH MAY BE TAKEN IF A VIOLATION OCCURS DURING YOUR VISITATION PERIOD, IN THAT CASE, YOUR VISITATION MAYBE TEMPORARILY RESTRICTED.

ANY INFRACTION OF THE RULES A THE WHITESIDE COUNTY JAIL COULD CAUSE YOU AND YOUR CELL-MATES TO LOSE ANY OF ALL OF THE EXTRA PRIVILEGES AFFORDED TO YOU.

IN THE  
UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

Page 1

SHAWN A. TOMPKINS, (PRO SE),  
Plaintiff,

-VS-

WHITESIDE COUNTY JAIL, et al,  
Defendant(s),

Case No: 15-CV-50206

MOTION TO ENTER SWORN AFFIDAVIT TO SUPPORT  
PLAINTIFF'S REPLY TO DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

Now comes, Plaintiff, Shawn A. Tompkins, (Pro Se), and respectfully moves this Honorable Court to hereby grant this Motion to enter Sworn Affidavit to support his reply to Defendant's Motion to Dismiss Which was converted into a Motion for Summary judgment. Plaintiff also states as follows:

[1] Plaintiff is a state prisoner confined at Vandalia Correctional Center and is incarcerated with another inmate by the name of Cory Olalde (IDOC #B79979) who was also detained at the Whiteside County Jail. Inmate Cory Olalde has filled out a Sworn Affidavit and Notarized it here at the Vandalia Correctional Center and Stated under oath that he also never received a INMATE HAND-BOOK at Whiteside County Jail.

[ Attached hereto is a Sworn Affidavit signed by inmate Cory Olalde ]

WHEREFORE, Plaintiff, Shawn A. Tompkins, Pro Se, prays that this Honorable Court grant this Motion to enter sworn affidavit to support Plaintiff's reply to defendant's Motion for Summary Judgment and also prays that this court denies defendant's Motion for Summary Judgment.

Date: August 18, 2016

Respectfully Submitted

/s/ Shawn A. Tompkins  
Shawn A. Tompkins

IDOC #R-45728

Vandalia correctional center

Post office Box 500

Vandalia, Illinois 62471

Sworn to and subscribed before me this

day of August, 2016

Witness my hand and official seal

Notary Public

OFFICIAL SEAL  
HEATHER M. CLOE  
Notary Public - State of Illinois  
My Commission Expires 4/08/2019

AFFIDAVIT

I would like to state that during my incarceration at the Whiteside County Jail I did not receive a inmate handbook. Furthermore I will state that I have never received a inmate handbook while being incarcerated at the Whiteside County Jail.

Dated this 4th day of August, 2016  
Sworn to and subscribed before me on the  
4th day of August, 2016  
Witness my hand and official seal.  
Notary Public [Signature] My Commission Expires 4/08/2019

Cory Olathe  
Printed Name

STATE OF ILLINOIS )  
 )  
 COUNTY OF Whiteside ) ss

## AFFIDAVIT

I, April Robnett, do hereby declare and affirm that the following information within this affidavit is true and correct in substance and in facts.

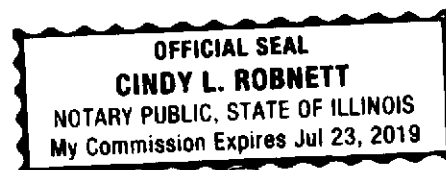
My Son was in Whiteside Co Jail on Feb 2, 2014. I contacted Lt. Tim Erickson to inform him and the Jail Staff of the many medications my son was on and to see if I could bring them to the jail. Lt. Tim Erickson explained to me the procedure for bringing the medications into the jail and with whom I needed to deliver them to.

I tried to follow up with Lt. Tim Erickson about my sons condition on several occasions following our first contact, to no avail. I could not get into contact with Lt. Tim Erickson.

Pursuant to 28 USC 1746, 18 USC 1621, or 735 ILCS 5/1-109, I declare, under penalty of perjury that everything contained herein is true and accurate to the best of my knowledge and belief. I do declare and affirm that the matter at hand is not taken either frivolously or maliciously and that I believe the foregoing matter is taken in good faith.

Signed on this 10<sup>th</sup> day of January, 2017.

April Robnett  
 Affiant



*Cindy L. Robnett*



## Declaration of Shawn A. Tompkins

I Shawn A. Tompkins have been booked into the Whiteside County Jail on many occasions.

I have never been issued a Inmate hand book or have I ever seen a Copie of a Whiteside County Jail hand book until their lawyer's sent me a Copie.

I declare under Penalty of Perjury under The laws of the United States that the foregoing is true and Correct.

1-23-17

Shawn A. Tompkins  
*Shawn Tompkins*